

# Committee on Resources

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## Witness Testimony

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Testimony on HR 1739 and HR 2149  
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Governing Council  
The Wilderness Society  
and  
Vice Chair  
The Friends of the Boundary Waters Wilderness  
Before the  
House of Representatives  
Subcommittee on Forests and Forest Health  
September 9, 1997

Ms. Chairperson and Members of the Subcommittee:

I speak to you today in favor of HR 2149, sponsored by Congressman Bruce Vento, and against HR 1739, sponsored by Congressman Jim Oberstar.

The two bills before you affect the wilderness protections afforded the Boundary Waters Canoe Area Wilderness. Congressman Vento's bill strengthens the wilderness values of the BWCA Wilderness by eliminating the use of tow boats, modestly extending the nonmotorized portions of the wilderness and expanding the boundaries of the BWCA by 7,370 acres.

Congressman Oberstar's bill would return trucks to three wilderness portages that would be used to haul heavy motorboats deeper into the wilderness. The return of trucks would 'increase conflict between paddlers and boaters, the very conflict that Congress sought to lessen by the 1978 BWCA Wilderness Act. Motorboats within the wilderness are incompatible with usage by canoeists seeking a wilderness experience.

Trucks are not needed to transport boats across these three portages. Congressman Oberstar's bill would return trucks to Prairie Portage, Four Mile Portage and Trout Portage. Trucks were removed from those portages in accordance with the 1978 BWCA Wilderness Act beginning with the 1993 summer season. Since then, nonmotorized means have been used to transport boats across portages. A commercial portage wheel trailer operation transports boats on Prairie Portage. People may remain in their boats while being transported. Photos of an 88 year-old man being transported across Prairie Portage by the commercial service while sitting in his boat are attached to my testimony. Individuals continue to use portage wheels to across the Trout Portage and the Fall-Newton-Pipestone Portages. Fall Newton-Pipestone was the route identified by Congress as the alternative to Four mile Portage. The Four Mile Portage has not been maintained by the U.S. Forest Service for five years, and one may not enter Basswood Lake legally on a day use motor permit by way of Four Mile Portage.

Use levels in 1996 show that thousands of boats cross these routes without trucks. The total number of boats

permitted into the wilderness is legally capped pursuant to the 1978 BWCA Wilderness Act, The 1996 U.S. Forest Service use satisfies show that day use motor parties reserved all of the legally available permits for Basswood Lake (98 percent for Prairie Portage and 108 percent for Fall-Newton-Pipestone Portages). Overnight motor parties reserved 96 percent of the available permits for Prairie Portage, Fall-Newton-Pipestone Portages, and Trout Lake Portage. These numbers show conclusively that wilderness visitors can and do easily access Basswood and Trout Lakes using existing nonmotorized means to cross the portage. There is no need to reintroduce trucks to the BWCA Wilderness.

The intent of removing the trucks was to discourage the use of large motorboats in the wilderness and encourage the use of nonmotorized- watercraft Removal of the trucks in the interior of the wilderness has achieved this objective. For example, the removal of the trucks from the Trout Lake Portage has resulted in an exponential increase in the number of wilderness canoe parties that enter at Trout Lake. In 1992, the last year a truck was on the Trout Lake Portage, 73 parties, with up to nine people in each party, accessed the wilderness by paddle. In 1996, the number of paddle parties was 345 groups, an increase of 473 percent over the 1992 levels. Thus, one of the beneficial results of the removal of the commercial truck portage operations from the Trout Lake Portage has been a huge increase in the number of wilderness paddling parties using and enjoying Trout Lake. If a truck is returned to the Trout Lake Portage, wilderness qualities of Trout Lake will be compromised. The canoe parties would be forced to look elsewhere for a wilderness canoe experience. Yet outside of the Boundary Waters Canoe Area Wilderness there is nowhere else.

In addition to removing trucks from the wilderness, Congress removed motorboats from certain lakes, with the phaseout to be implemented incrementally over 20 years. The last wilderness lake scheduled to become paddle only is Seagull Lake. Congressman Oberstar's bill prohibits the implementation of the motorboat ban on Seagull Lake. However, the usage of Seagull Lake demonstrates that the demand for wilderness on Seagull Lake is far greater than the demand for motorized uses.

Seagull Lake is a stunningly beautiful wilderness lake near the end of the Gunflint Trail in the eastern part of the Boundary Waters Canoe Area Wilderness. This 5,000 acre island-studded wilderness gem is the sixth most popular entry point for the entire BWCA Wilderness. The eastern tip of the lake lies outside the wilderness borders, and about 50 privately owned properties are located there. Over 100 islands dot the surface of Seagull Lake. The islands effectively screen the non-wilderness part of the lake from the majority of Seagull Lake that lies within the wilderness. On January 1, 1999, about two-thirds of the lake (generally to the west of Three Mile Island) will be closed to motorboat use. Congressman Oberstar's bill would be this phaseout and keep all of Seagull Lake open to motorboats in perpetuity.

The public has, in fact, already indicated its desire for paddle only wilderness conditions on Seagull Lake and has effectively made the transition to the wilderness conditions. In 1978, the year the Boundary Waters Wilderness Act was passed, motor parties constituted 26 percent of the overnight use of Seagull Lake. In 1996, motor use constituted just 7 percent of the overnight use of Seagull Lake. Non-motorized canoe parties constitute 93 percent of the overnight use of the lake.

The public demand for non-motorized wilderness on Seagull Lake is overwhelming. Congress should not now break its promise to the American people by reversing the decision to phase out motorboat use on much of Seagull Lake to benefit a tiny constituency of motorboat users.

Upon implementation of the ban on motorboats on most of the wilderness portions of Seagull Lake, it is likely that the number of people who use and enjoy Seagull Lake will grow significantly. For example, motors were removed from Brule Lake in 1986 under a provision of the 1978 BWCA Wilderness Act. Since

Brule Lake became a wilderness lake free from motor use, visitation to Brule Lake has skyrocketed. In 1985, when the lake was still motorized, 705 groups began their visits to the BWCA Wilderness at Brule Lake, 250 motor groups and 455 non-motor groups. By 1993, a total of 1,079 groups (all wilderness paddlers) entered at Brule, a 53 percent increase in total number of groups and a 137 percent increase in the number of paddle groups.

Other BWCA entry points of entry that have changed from motor lakes to non-motor lakes pursuant to the 1978 BWCA Wilderness Act display the same trend of increase in overall usage. Upon the implementation of the ban on motorboats on most of the wilderness portions of Seagull Lake, visitation is likely to increase significantly.

The public opposes weakening the current protections of the BWCAW. Four recent statewide polls in Minnesota demonstrate overwhelming support for maintaining or increasing wilderness protections for the Boundary Waters Canoe Area Wilderness. Support for existing wilderness protection comes from northern Minnesota as well as the rest of the state and crosses political party lines.

The Minnesota Poll, conducted by the Minneapolis Star Tribune and WCCO-TV and released on September 27, 1995, found strong opposition to any increase in motor use in the BWCA Wilderness. The poll found 70 percent of Minnesotans oppose allowing more motorboats or snowmobiles in the BWCAW, 57 percent oppose it strongly. The poll found that 68 percent of northern Minnesotans also oppose more motorboat or snowmobile use in the BWCAW. Even 60 percent of the snowmobilers oppose more motor use within the BWCAW. Politically, wilderness protection in Minnesota has broad bipartisan support; 73 percent of Republicans and 72 percent of Democrats opposed more motor use within the BWCAW. The Minnesota Poll interviewed 814 randomly selected adults, with a margin of sampling error of +/- 3.4 percent.

These findings complement a second state-wide public opinion survey conducted in the summer of 1995 by the respected polling unit at St. Cloud State University. This poll, with a margin of sampling error of +/- 5 percent, found even stronger support for wilderness protections than did the Minnesota Poll. Among its findings:

- 82 percent of Minnesotans want wilderness protections for the BWCAW strengthened or maintained at current levels; only 13 percent want them weakened.
- 73 percent of Minnesotans in the Eighth Congressional District (Congressman Oberstar's district) want wilderness protections for the BWCAW strengthened or maintained at current levels; only 26 percent want them weakened.
- 51 percent of Minnesotans stated that they would be inclined to visit the BWCAW less if more motorized uses were permitted; only 13 percent said they would visit more,

A Pioneer Press/Minnesota Public Radio poll released May 22, 1996, found that 70 percent of Minnesotans believe that the current restrictions on the use of motorboats in the BWCAW should remain unchanged or be tightened, and want the wilderness preserved as a quiet refuge. The poll consisted of 812 randomly selected adults who said they regularly vote in state election with a margin of sampling error of +/- 3.5 percent.

Finally, the Minnesota Poll in July of 1996 found that 74 percent of Minnesotans opposed regulation that would further motorize the BWCAW. Sixty-nine percent of Minnesotans support new legislation to increase wilderness protections for the BWCAW. This poll had a margin of error of +/- 2.8 percent.

Likewise, national polls demonstrate strong support for continued wilderness protection for America's wilderness areas.

Continued wilderness protection of the BWCAW is also supported internationally, by the- Ontario government, as steward of the wilderness Quetico Provincial Park. The Quetico Park straddles the international border with the Boundary Waters Canoe Area Wilderness. The Ontario government opposes increase in motorboat access along the international border.

Support for wilderness protection comes from all segments of the population, including the elderly, the disabled, women and children. The National Council on Disability survey entitled Wilderness Accessibility for People with Disabilities showed that 76% of individuals with disabilities polled, when asked whether the restrictions on mechanized use within the National Wilderness Preservation System diminished their ability to enjoy the wilderness, said no. Likewise, the Minnesota State Council on Disability opposes the argument that trucks are necessary for access to wilderness. The assertion that women, children, elderly and disabled are denied access to the BWCA Wilderness because of the lack of motors is not supported with any data. On the contrary, the BWCA Wilderness is one of the most accessible wilderness areas in the country with 10 percent of all users of the National Wilderness Preservation System visiting the BWCAW, which consists of only 1 percent of the land area of the system. A canoe wilderness area provides extraordinary opportunities for the elderly, the disabled, women, children, and all other segments of the population that seek a wilderness experience.

There are some who claim that the late Senator Hubert Humphrey promised northeastern Minnesotans that motorboats would never be restricted in the BWCA Wilderness. Senator Humphrey never made any such promise. Senator Humphrey was the original Senate sponsor of the legislation that eventually became the 1964 Wilderness Act. He introduced his first version of the wilderness legislation in 1956. The following year, 1957, he issued a press release to address concerns by some northeastern Minnesotan residents about his wilderness bill and the roadless areas later collectively renamed the BWCA. In it he stated, "[T]he wilderness bill will not ban motorboats from the Superior National Forest, and any such claim is just a scarecrow to frighten people. Nothing in this bill would stop the present use of motorboats in the Caribou, Little Indian Sioux, and Superior roadless areas of northern Minnesota." The 1964 Wilderness Act allowed motorboat use to continue in the BWCA Wilderness. Motorboat use continues to this day in the nation's only large lakeland wilderness.

Contrary to claims by the pro-motor group, Senator Humphrey made no promises that these activities were guaranteed to continue in perpetuity. Senator Humphrey was wise enough to recognize that he would not prevent future Congresses from revisiting the issue. The Senator was far more interested in bringing the BWCA Wilderness under the umbrella of the Wilderness Act than in guaranteeing perpetual motorboat use. Senator Humphrey rightly anticipated that the nation's appreciation of and demand for wilderness would grow as wilderness became scarce and that the level of protection afforded the BWCA Wilderness would likely be revisited by Congress.

Since 1964, the BWCA has been part of the National Wilderness Preservation System, which was created to "secure for the American people of present and future generations the benefits of an enduring resource of wilderness." The Wilderness Act defines wilderness "as an area where the earth and its community of life are untrammelled by man, where man is a visitor who does not remain." No roads, dams or other permanent structures, no timber cutting, non-motorized vehicles and no motorized vehicles are allowed. The goal for managing wilderness is to keep it as wild and natural as possible.

However, because of compromise language in the Wilderness Act, incompatible uses, such as motorboats, logging, and mining, were allowed to continue in the BWCA. Accelerated pulp logging, the threat of mining, pressures by local interests for snowmobile access, and increased conflicts between boaters and paddlers began to seriously erode the wilderness character of the border country. The compromise language may have pacified certain local interests at the time, but it led to increasingly difficult management decisions, such as how the Forest Service was to manage the BWCAW as primitive wilderness area while permitting these inconsistent uses within the wilderness. Dissatisfaction increased among nearly every user group, and several lawsuits were filed against the U.S. Forest Service challenging its management decisions.

In response to the widespread dissatisfaction, Congress reconsidered the appropriate level of wilderness protections for the BWCAW and chose to reduce the conflict between incompatible uses by passing the Boundary Waters Wilderness Act in 1978. The Boundary Waters Wilderness Act contained the following essential provisions:

- The BWCAW was to be managed as a full wilderness unit in the National Wilderness reservation System. The provision in the 1964 Wilderness Act allowing logging and motor use was specifically repealed.
- Mining and logging were prohibited.
- Motorized usage in the BWCAW was reduced in the following ways:
  - Snowmobile use was prohibited, with two short exceptions to access Canadian cabins,
  - Motorboat usage was prohibited on certain lake with the ban instituted incrementally over 20 years.
  - On lakes where motorboats were permitted, motor size was limited to 10 horsepower on some lakes, 25 horsepower on others with no limits on Loon Lake and the western end of Lac la Croix.
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  - Trucks were removed from three interior wilderness portages so that users would be encouraged to use smaller, lighter, and fewer motorized watercraft.

The 1978 Boundary Waters Wilderness Act manifested Congress's intent that canoes and, where permitted, small motorboats would replace large motorboats, and that the impact of allowed motor use in the wilderness would be lessened. The Act provided for financial grants (a total of \$1,039,251) to resorts and outfitters to fund the conversion from powerboats to canoe operations, including the acquisition of smaller boats, and improvements to facilities. General voluntary resort buy-out options, which resulted in a total federal expenditure of \$9,372,234, were provided to any resort owner or outfitter on specifically affected lakes who did not want to make the transition to smaller boat or canoe operations. Altogether, the 1978 BWCAW Act provided \$17,047,000 to resorts, outfitters, and the communities to fund the transition, and an additional \$67,088,000 in resource management measures (reforestation projects, timber stand improvement and forest road work in the Superior National Forest outside the BWCAW) to compensate for any economic hardship in the surrounding communities allegedly caused by the transition.

The transition has been highly successful. The BWCAW is the most popular, most heavily-visited unit of the National Wilderness Preservation System. About 200,000 people visit the area each year, accounting for about 1.5 million recreation visitor days of use each year. The BWCAW supports a significant and stable portion of the local economics in the wilderness-edge communities, conservatively estimated several years ago at \$28 million annually. In 1977, 70 percent of the overnight visitors were canoeists; in 1996, 92 percent of the overnight visitors were canoeists and 2

percent were hikers. Even though nearly one-quarter of the water surface area in the BWCAW is open to motors, only 6 percent of the overnight visitors are motor users.

In 1978, Congress addressed the very same interests, arguments, and claims that are being asserted today. The arduously crafted compromise of 1978 - made by conservationists, users and local representatives - fairly addressed the demands of the local and pro-motor groups. HR 1739, the Oberstar bill unfairly breaks the compromise of 1978, and serves a very narrow population - only 4 percent of the users (local motorists, based on Forest Service statistics for overnight visitors), to the disservice of the Americans who own this national treasure. What has changed since 1978 to justify HR 1739? Nothing. More people than ever before paddle the pristine waters of the BWCAW, and Americans have become stronger in their desire to protect and preserve the wilderness canoe country.

Before Congress is the fate of a magnificent wilderness area - the nation's most popular and most accessible, the largest wilderness east of the Rockies and north of the Everglades, and the only canoe country wilderness. It is America's only preserved and protected wilderness canoe highway, where one can travel as humans have, traveled for centuries - by canoe and in silence. The BWCAW is visited by young and old, is the home of one of only three national boy scout bases, is home to one of several Outward Bound Schools, and is home to numerous wilderness canoe camps. Two hundred thousand campers, hikers, canoers and fishermen visit the BWCAW for recreation each year; children visit the BWCAW through wilderness camps and people with disabilities enjoy it, many through an organization called Wilderness Inquiry. The wilderness areas of the National Wilderness Preservation System cover a scant two percent of the lower 48 states, belong to every U.S. citizen. The BWCAW holds only 2% of Minnesota's lakes. We pass these treasured areas from generation to generation.

The debate before you is simple. Do we, as the American people, degrade this wilderness area? Do we reject the principles of the Wilderness Act? Do we introduce more motorboats and trucks and roads into this magnificent country, so that a few may travel with the assistance of man-made contraptions, to the detriment of many? Do we diminish America's canoe country and the opportunities and experiences of those who seek to travel in wild land hearing no sounds but the scrape of the canoe, the dip of the paddle, and the call of the loon?

The answer is no.

I urge you to support Congressman Bruce Vento's bill, HR 2149, the BWCA Wilderness Legacy Act, which will strengthen and improve the wilderness character of the million acre Boundary Waters Canoe Area Wilderness. This bill would decrease motorized uses within the area, the most motorized unit of the National Wilderness Preservation System, and add 7,370 acres to the Boundary Waters.

It is Congress's obligation to look forward, not back. Congressman Vento's bill is the only legislation dealing with the Boundary Waters Canoe Area Wilderness that improves and enhances the wilderness character of the area.

The value of our treasured wilderness areas including the BWCAW, rises daily as this county's population grows more rapidly than that of any other industrialized nation. If Congressman Oberstar's bill is enacted, it will be the first time in the history of America that Congress has taken action to reduce the protections of a national wilderness area and the BWCA Wilderness. If the BWCAW, the most successful unit of the National Wilderness Preservation System, can be threatened with degregation, what of this country's other wilderness areas and national parks? I urge this committee to

keep alive this country's tradition of wilderness preservation by supporting HR 2149, the Vento bill and rejecting HR 1739. Thank you.

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